

Assessing progress in achieving equitable access to water and sanitation

Pilot project in Ukraine

Country Report

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This document does not reflect any opinion or position of the United Nations Economic Commission for Europe. It has been prepared by the Ukrainian pilot project team.

1. The Baseline Analysis on Ensuring Equitable Access to Water and Sanitation in Ukraine, based on Pilot Testing of the Self-evaluation Tool

The pilot - Introduction

In January - March 2013, Ukraine participated in pilot testing of the self-evaluations tool to assess ensuring equitable access to water and sanitation at the national level. The pilot was implemented by the State Sanitary and Epidemiological Service of Ukraine and Ukrainian National Environmental NGO (UNENGO) MAMA-86 with support of the Ministry of Ecology and Natural Resources of Ukraine (MoE). The pilot was implemented in the framework of the Work Program for Implementation of the Protocol on Water and Health (hereinafter - the Protocol) to the UNECE (United Nations Economic Commission for Europe) Convention on Protection and Use of Transboundary Watercourses and International Lakes (the Water Convention) for 2010 - 2013. The pilots were implemented in 3 countries (France, Portugal and Ukraine) with facilitation of the Protocol Secretariat UNECE and with support of the French Government. The pilot is a continuation of activities of the Expert Group on Ensuring Equitable Access to Water and Sanitation under the Protocol Secretariat and work on publication "No one left behind: Good practices to ensure equitable access to water and sanitation in the pan-European region". In March 2012, "good practices" were launched by the French government and the Protocol Secretariat at Marseille World Water Forum. In 2012, the expert group has developed a self-assessment tool (the Scorecard) to help countries to assess and track progress in achieving equitable access to water and sanitation at national-local levels, in the context of the implementation of the Protocol. The tool is aimed to assist public authorities or non-governmental organizations to assess the relevance of political decisions on ensuring the equitable right to water (W) and sanitation (S), efficiency of the measures implemented, identification of priority problems and options to address the problems identified.

In the framework of implementation of the self-assessment pilot, Ukraine completed:

- collection of data available in central executive bodies (CEBs), including information gathering from regional units of the State Sanitary and Epidemiological Service (SSES), international and non-governmental organisations;
- a baseline analysis, based on the official data collected and publicly accessible information, data submitted by different organisations in response to requests, as well as based on expert information available;
- expert development of the Baseline Analysis Draft on ensuring equitable access to water and sanitation in Ukraine (the Base line Analysis), based on the scorecard tool completion;
- discussion of the Baseline Analysis Draft and the self-evaluation results at the National Stakeholders Workshop in Kyiv, March 1, 2013;
- finalization of the Baseline Analysis taking into account the stakeholders' discussion results, which will be included into the National Summary Report on Protocol implementation progress and presented in 2013
- based on tool testing, preparation of the critical comments and recommendations to the Scorecard (effectiveness, usefulness and easy to use) and the procedure of its application with the aim to further use of the Scorecard in Pan-European Region.

The following CEBs took part in compiling the scorecard tool and information gathering:

- the Ministry of Economic Development and Trade of Ukraine;
- the Ministry of Finance of Ukraine;
- the Ministry of Regional Development, Construction, Housing and Utilities of Ukraine (Minregionbud);

- the Ministry of Education and Science, the Youth and Sport of Ukraine;
- the Ministry of Social Policy of Ukraine (Minsocpolicy);
- the Ministry of Public Health of Ukraine;
- the National Commission for State Regulation in Housing and Utilities Sector;
- the State Statistics Service of Ukraine (UkrStat);
- the State Penitentiary Service of Ukraine;
- the State Service of Ukraine for the Disabled and Veterans;
- the State Migration Service of Ukraine, and
- M.V. Ptukha Institute of Demography and Social Researches of the National Academy of Sciences of Ukraine (IDSR).

Experts, involved in the baseline analysis development and Scorecard fulfilment, are:

Sergiy Vykhryst, international water law expert (“International obligation” table of the Scorecard), Tetyana Rakhimova, Monitoring Centre of SSES (Scorecard Chapter 1 on policy and mechanisms); Oleksandr Kravchenko, Science research constructing technical Institute of urban economy –SRCTI UE (Chapter 2 on Geographical Disparities), Natalya Ryngach, M.V. Ptukha Institute of Demography and Social Studies of the National Academy of Sciences of Ukraine (Chapter 3 on Vulnerable and Marginalised groups) and Alyona Babak, Anton Levytskiy, Alyona Nych, Institute of Local Development Marina Ogayo, M.V. Ptukha Institute of Demography and Social Studies of the National Academy of Sciences of Ukraine (Chapter 4 on affordability).

The country profile context

Socio-economic and sector data			
	2011	2009	Source
Population (in fact)	45633,6 ths	46143,7 ths	UkrStat
resident population	45453,3 ths	45782,6 ths	
Extension (km2)	603 550		
GDP per capita (EUR/person)	2568,38	1824,8*	UkrStat *
% of population below national poverty line	24,3%	26,4%	Institute of demography and social research (IDSR)
% of population living in urban areas	68,77 % (31380,9 ths. prsn.)	68,45 % (31524,8 ths. prsn.)	UkrStat
% of population living in peri-urban areas	Not relevant	Not relevant	
% of population living in rural areas	31,23 % (14252,7 ths.prsn.)	31,55 % (14438,1 ths. prsn.)	UkrStat
Renewable freshwater resources (million m ³ per capita/year)	0.002		Draft «Water Strategy of Ukraine for the period 2011-2020»**
% of population without access to safe drinking W	No data	No data	
% of population without access to wastewater collection	No data	No data	
% of population without access to wastewater	No data	No data	

treatment (any level)			
Public financial resources spent on W and S sector	102,7 M UAH (in 2012)		
Public financial resources spent in ensuring equal access to W and S			
* http://library.oseu.edu.ua/docs/StatSchorichnyk%20Ukrainy%202010.pdf * http://www.bank.gov.ua/files/5-Exchange_rates.xls#5.1 '!A1 ** http://www.scwm.gov.ua/fls/vdr.htm			

International obligations on water and sanitation

One of the first international legal instruments to ensure equitable access to water and sanitation is now in force in the pan-European region - the Protocol on Water and Health (hereinafter - the Protocol). Ukraine is a Party of the Protocol since 2003, and it had already fulfilled the first obligation under the Protocol by setting the National Targets to the Protocol in 2011. The National Targets were approved by the Order of the Ministry of ecology and natural resources and a Decree of the Cabinet of Ministers of Ukraine was passed to approve reporting procedures for CEBs on implementation of the National Targets (NTs).

However, Ukraine lacks a legislative act to stipulate comprehensive plan on Protocol NTs implementation. The Key principals of the State environmental policy (EcoStrategy) till 2020 (21.12.2010, N 2818-VI) and National Environmental Action Plan for 2011 - 2015 (NEAP) provide some general measures on setting and implementation of NTs to the Protocol, specific actions are foreseen in measure 140 of the NEAP for Development and Implementation of a Mechanism to stimulate the development of centralised water supply (WS) and sanitation (S) Systems, and decentralized sanitation in rural areas.

The international water legal framework related to water and sanitation is broad and well developed. It includes 15 International legal instruments (conventions, protocols and covenants) at UN level. Since soviet times Ukraine as Ukrainian Soviet Social Republic has ratified or joined to 13 of these International Legal Acts. It has to be mentioned that Ukraine does not have specialised legal acts for implementation of these acts. For example, it's relevant to Geneva Convention relative to the Treatment of Prisoners of War (Aug. 12, 1949), Geneva Convention relative to the Protection of Civilian Persons in Time of War (Aug. 12, 1949) and Additional Protocols to these Conventions. In 2000, the Cabinet of Ministers of Ukraine (hereinafter - the CMU) established the Inter-agency Commission for Implementation of International Humanitarian Law in Ukraine, and approved Regulation of the Commission.

Some of international norms are reflected in the special legal acts, for example the Instruction on Procedure and Conditions of Detention of Apprehended and Detained Servicemen (it's approved by Order # 618 of the Minister of Defence of Ukraine of 16.12.2004) stipulates that "detained military servicemen shall be provided accommodation conditions that meet sanitary and hygiene rules" (para 10.5), and that "provision of health care services to the detained military servicemen, sanitary, hygiene and counter-epidemic measures shall be conducted according to the due public health legislation" (para 10.10). The Status of Station and Post Regulation of the Armed Forces of Ukraine, approved by Law of Ukraine # 550-XIV of March 24, 1999, stipulates that "drinking water tanks shall be installed in mass

cells, equipped with fountains ... " (para 51 of Annex 12). This provision is the only norm in the legislation of Ukraine that directly stipulates the need to ensure access of inmates to drinking water.

As for Geneva Convention relative to the Protection of Civilian Persons in Time of War of Aug. 12, 1949, it is necessary to note that Law of Ukraine on Legal Regime of Martial Law (Law # 1647-III of April 6, 2000) stipulates that measures under Martial Law include, among others the introduction - if deemed necessary - of rationing arrangements for supply of basic food, other basic products and medical items to residents (para 16 and 17 of Art. 15). According to the Civil Defence Code of Ukraine, competences of the CMU in the sphere of civil defence include "defining procedures for preparing and conducting potentially hazardous activities in conditions of presence of civilians, with participation of servicemen of the Armed Forces of Ukraine, other military units and law enforcement bodies with application of weaponry and military hardware" (para 13 of Art. 16), while competences of the Cabinet of Ministers of AR Crimea and local State Administrations in the sphere of civil defence include organisation and supporting livelihoods of victims of military (armed) actions or persons affected by consequences of such actions (para 18 of Art. 19).

According to para 9 of Art. 33, "in particular, evacuation shall be supported by provision of livelihoods to the evacuees in areas of their safe dislocation". According to Art. 36 of the Civil Defence Code, "medical protection and ensuring sanitary and epidemiological wellbeing include: provision of medical assistance to victims of emergency situation; timely application of preventive medical preparations and timely implementation of sanitary and counter-epidemic measures; control of quality and safety of food products and raw food, drinking water and water supply sources; provision of trainings to local residents in the sphere of primary emergency health care and personal hygiene; monitoring quality of the natural environment, sanitary, hygiene and epidemiological situation".

Besides that, in connection with Additional Protocols to the Geneva Conventions 1949, it is worth to note that Law of Ukraine on the Red Cross Society of Ukraine (Law # 330-IV of November 28, 2002) stipulates that the Society, in the course of its activities, in particular organises operations the non-governmental voluntary emergency medical assistance service of the Society, supports functioning of camps for the injured and affected persons and provides free necessary sanitary, medical and social assistance to local residents in specific emergencies; provides free sanitary, medical and social assistance to single elderly persons, orphan children, disabled and homeless persons and other socially vulnerable population groups in need of care and support - both due to donations and humanitarian aid, and due to charitable funds established by the Society (Art. 9). According to Art. 14 of the Law, Ukraine, supports humanitarian and charitable activities of the Society and the International Red Cross Movement.

According to Art. 19 of Law of Ukraine on Defence of Ukraine (Law # 1932-XII of December 6, 1991), the civil defence system includes among others the sanitary, hygiene and counter-epidemic measures being implemented by central and local executive bodies, local authorities and volunteers units, that ensure application of these measures to prevent and mitigate emergencies in peace time and in a special period". Other relevant provisions of the Additional Protocols that deal with means and methods of war and measures to ensure survival of civilians on occupied territories are not reflected in the legislation of Ukraine.

Human and civil rights in the sphere of water and sanitation, as provided for in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights of 1966, were generally incorporated into Ukrainian law, in particular into relevant provisions of

the Constitution of Ukraine. In some cases, these rights lack efficient mechanisms for their implementation and ensuring.

The Ukrainian legislation does not incorporate a separate legal provision on elimination of discrimination of women in rural areas. However, according to Art. 24 of the Constitution of Ukraine "citizens have equal constitutional rights and freedoms and are equal before law. No privileges or limitations may exist on grounds of race, skin colour, political, religious or other convictions, sex, ethnic and social origin, wealth, residence, language or other grounds. Equal rights of men and women are ensured by: provision of equal opportunities to women and men in public, political and cultural activities, in access to education and professional skills training, in labour and remuneration; by special measures for protection of women's labour and health, by setting the pension privileges; by provision of conditions allowing women to harmonise career and motherhood; by legal protection, by provision of material and moral support to mothers and children, including provision of paid maternity leaves and other benefits to pregnant women and mothers".

Besides that, on September 8, 2005, Law of Ukraine on Ensuring Equal Rights and Opportunities of Women and Men and on September 6, 2012, Law of Ukraine on Basics of Prevention and Combating Discrimination in Ukraine were approved.

Occupational health, including sanitation and hygiene issues, is regulated by the Labour Code of Ukraine. The CMU approved the Concept of the National Target-specific Program for Improvement of Occupational Safety, Labour Hygiene and Workplace Environments for 2012 - 2016. The Program aims to ensure comprehensive addressing of problems in the sphere of occupational health, development of modern safe and healthy workplace environment, minimisation of risks of occupational injuries and diseases and accidents...

In 1991, Law of Ukraine on Basics of Social Protection of the Disabled was approved. According to the Law the State shall provide preconditions to the disabled person allowing the person to enjoy his/her rights equally with other citizens; and shall ensure social protection. Discrimination on grounds of disability is prohibited.

Besides that, Law of Ukraine on Rehabilitation of the Disabled in Ukraine was passed in 2005 and CMU Decree # 706 of August 1, 2012 approved a State Targeted Program - the National Action Plan for Implementation of the Convention on the Rights of Persons with Disabilities up to 2020.

The president Decree # 63/96 of January 18, 1996 approved a National Program - "Children of Ukraine". Main actions of the Program include: ensuring maintenance of the hygiene regime of individual water use and control of water use in education, boarding and health improvement facilities for children; actualisation of education, development, health care, nutrition and water and use hygiene issues. CMU Decree # 1200 of August 3, 2000, established the Inter-agency Commission for Childhood Protection and approved Regulations of the Commission. "Main objectives of the Commission include: facilitating coordination of activities of executive bodies pertaining to childhood protection matters; development of proposals on matters of development and implementation of state policies for protection of children's rights and interests; identification of ways, mechanisms and options to address problematic issues emerging in the course of implementation of state policies in the childhood protection sphere".

In 2009 National Program - the National Action Plan for Implementation of the Convention on the Rights of the Child up to 2016 was approved. It aims to ensure optimal functioning of a comprehensive system for protection of children's rights in Ukraine in line with the UN Convention on the Rights of the Child,

accounting for the Millennium Development Goals, and the Strategy of the Final Document of the Special UN General Assembly Session on Children - "A World Fit for Children". While the Program does not refer to drinking water directly, Section 1 of the Program deals with health care and promotion of healthy lifestyles for children.

Therefore, Ukraine lacks a systemic approach to implementation of its international commitments on water and sanitation matters.

Part 1. Governance frameworks for ensuring equitable access to water and sanitation

1.1 "A strategic framework for achieving equitable access to water and sanitation"

Some laws and regulations of Ukraine seek to ensure citizens' access to water and sanitation. The framework ones include: the Constitution of Ukraine, laws of Ukraine on Drinking Water and Drinking Water Supply, on Ensuring Sanitary and Epidemiological Wellbeing; as well as such political documents as Drinking Water of Ukraine Program; the National Program for Reforms and Development of the Housing and Utilities Sector, the Program for Development of Water Management and Improvement of the Dnieper River Basin up to 2021, etc. Besides that, there are specialised regulations, State Sanitary Rules and Norms, Orders of the Chief Sanitarian of Ukraine, etc. of relevance to access to water in Ukraine. At the same time, the right to sanitation is not legislatively defined. Sanitation issues remain a secondary priority and are not paid due attention by authorities. However, since 2011, some draft laws were developed to address sanitation problems.

Only some specific programs address issues of equitable access to water and stipulate relevant measures. Already effective programs stipulate extension of coverage by centralised water supply and sanitation services. A specialised target-specific program exists for provision of centralised water supply services to rural settlements that use truck water now.

Measures to Improve access of vulnerable and marginalised groups to safe drinking water are stipulated in some budget items of the State Budget and in the List of Projects for Implementation of Measures Stipulated by National Program "Drinking Water of Ukraine for 2006 - 2020", and Relevant Finance Allocations (Order # 247 of the Ministry of Regional Development of Ukraine of 24.10.2011 that stipulates improvements of access to water and sanitation in education and health care facilities). Some measures are stipulated in the National Action Plan for Implementation of the Convention on Rights of the Disabled, in the Model Regulation on Temporary Accommodation Facilities for Foreigners and Stateless Persons who Stay in Ukraine Illegally, etc.

In 2011, Ukraine set its national targets under the Protocol on Water and Health (Decree of the Cabinet of Ministers of Ukraine of 26.09.2011, MoE Order # 324 of 14.09.2011. The range of targets incorporates the ones pertaining to ensuring provision of high quality drinking water and sanitation services to rural and urban residents, to children in pre-school facilities and secondary schools.

Relevant powers and duties in the sphere are defined and distributed between central executive bodies (CEBs) in regulations of relevant authorities, laws, regulations and in national targets under the Protocol on Water and Health. However, some functions and tasks are duplicated and/or spheres of responsibility/financing are not clearly delineated (a particular issue may belong to spheres of competence of several ministries and administrations, hindering actions to address relevant problems).

At the territory of Ukraine, framework laws and mechanisms are in place to guarantee free public access to information. However, in practical terms they are not sufficiently used in public relations. The relevant legal base incorporates: the Constitution of Ukraine (Art. 34, 102), laws of Ukraine on Information, on Access to Public Information, on Drinking Water and Drinking Water Supply, on Ensuring Sanitary and Epidemiological Wellbeing. Ukraine is a Party of the Aarhus Convention. The country produces annual National Reports on Quality of Drinking Water and Drinking Water Supply in Ukraine, as well as other information materials that are posted on web-sites of the Ministry of Regional Development, Construction, Housing and Utilities of Ukraine, other ministries, agencies and state administrations.

Practically applied mechanisms for discussions and coordination incorporate:

- sessions and meetings of different CEBs in charge of access to water and sanitation;
- sessions of the MoE WG on Implementation of the Protocol on Water and Health;
- sessions of oblast-level state administrations and commissions in charge of industrial and environmental security and emergency response;
- public hearings, meetings of Public Advisory Councils under ministries and agencies with participation of NGOs, NGO-led initiatives (public consultations, hearings on relevant draft laws, posting the draft laws in web-sites of CEBs).

CEBs in charge of access to water and sanitation maintain agency-specific monitoring in spheres of their competence and make general assessments of drinking water quality, water bodies, technical quality of water supply and sanitation networks and their reconstruction. Oblast-level state administrations submit reporting to the Ministry of Regional Development on such matters as: coverage of settlements/residents by centralised drinking water supply and sanitation services, availability of 24/7 water supply, use of truck and standpipe water, funding and implementation of existing programs, etc.

The State Sanitary and Epidemiological Service maintains state supervision of compliance with the due sanitary legislation and maintains laboratory control of drinking water quality in water supply networks and in facilities under control, including pre-school facilities and schools, clinics (control of compliance with DSanPiN 2.2.4-171-10 and SanPiN 4630-88 and application of relevant sanctions in cases of non-compliance).

There are no specialised monitoring and assessment activities that cover access of specific population groups (e.g. low income, vulnerable and marginalised groups, etc.) - as a result, no information is available on these matters.

1.2 Sector financial policies

The country has identified finance resources necessary to ensure access of all residents to water, the funds are stipulated in framework national and regional programs for implementation of relevant actions.

In particular, Program "Drinking Water of Ukraine for 2011 - 2020" stipulates allocation of budgetary funds (UAH 200.7 million for 2011, and UAH 238.2 million for 2012), including construction and reconstruction of water intakes (84 million), water supply and sanitation networks with application of energy-efficient equipment (56), installation of tertiary water treatment units in centralised water supply systems of pre-school facilities, schools and clinics, particularly in rural settlements; and

establishment of drinking water distribution centres with its delivery by specialised water trucks (43.1). In order to implement activities for installation of individual and collective tertiary treatment units (on-tap filters), particularly in regions of environmental crisis and in pre-school facilities and clinics, and for establishment of drinking water distribution centres with its delivery by specialised trucks, Order # 247 of the Ministry of Regional Development of 24.10.2011 stipulates allocation of funds for construction and reconstruction of relevant facilities in the period from 2006 to 2020. Estimated costs of these projects reach UAH 166.5 million, including UAH 150.2 million from the state budget.

National and regional state programs (including the ones for improvement of water services in rural areas) are financed under general expenditures of the state budget, only provided some co-financing from other sources including local (e.g. oblast, district, township-level) budgetary allocations from revenues generated by water and sanitation utility bills, as well as by loans and subventions (inter-budgetary transfers for local authorities from the state budget to local budgets).

Development of private decentralised water supply and sanitation systems is not supported by the state budgets. However, even planned actions are not duly implemented due to chronic underfunding of state programs in the sphere. In particular, Program "Drinking Water of Ukraine" was implemented only by 20% in 2011 - according to finance reporting of the Ministry of Regional Development, in 2012, at planned allocations from the state budget of UAH 200 million, while actual allocations reached UAH 182.5 million and actually utilised funds reached UAH 102.7 million or 50% (the program report for 2011 is not available). Implementation of the National Program for Reforms and Development of Housing and Utilities also remains problematic, including its regional sub-programs. The State Target-specific Program for Ensuring Priority Centralised Water Supply in Rural Settlements also was not financed in 2011 and 2012.

The Strategy for Financing Water Supply and Sanitation Sector addresses issues of general access of country's residents to water and sanitation, but the Strategy does not focus on ensuring equitable access, it deals with specific actions (and relevant finance allocations) for provision of drinking water supply and sanitation services to education and health care facilities, particularly in rural areas.

The Accounts Chamber is a national authority in charge of control over finance flows that provides information to the Government and the general public. The Accounts Chamber posts its reports and other information materials on its web-site (www.ac-rada.gov.ua).

Audit results of implementation of the State Target-specific Program for Provision of Centralised Water Supply Services to Rural Settlements that use Truck Water Now up to 2010 suggest that adequate financing of the Program activities was not ensured in 2008 - 2010, as a result, its actual implementation allowed to provide centralised water supply and sanitation services to only 11 thousand residents of rural settlements (or 25% of the planned level).

Audit results of implementation of programs for reforms and development of water supply and sanitation sector in Donetsk and Lugansk oblasts suggest that relevant oblast-level state administrations failed to ensure implementation of planned actions under these programs due to insufficient management and underfunding from the state budget in the whole period of time since their approval. Actually, a number of activities (facilities) under these programs were financed in a haphazard manner at the expense of other state target-specific programs on similar matters (i.e. national programs for development of the housing and utilities sector for 2009 - 2014, Drinking Water of Ukraine).

At the regional level, these activities are controlled by Housing and Utilities Directorates of relevant state administrations.

Only chief executive officials have access to information on use of budgetary resources. Such information is provided on requests only and in information reports.

There is no information on international assistance for ensuring equitable access to water and sanitation in Ukraine. However, international support for the sector does exist, but associated information is limited, inaccessible, nobody compiles and analyses it.

Most prominent international actors in Ukraine include the International Monetary Fund, the World Bank, regional development banks and EU finance institutions that provide national-level support for modernisation of the existing infrastructure. In particular, according to the Swedish International Development Agency (SIDA), it is possible to use ESP platform for allocation of grants for capitalisation of water supply and sanitation - i.e. to finance modernisation projects in Ukraine. Sweden contributed € 24 million into a WB project at the implementation stage in early 2011. A WB loan of \$ 140 million was provided to another project on urban infrastructure matters. SIDA provided grants for modernisation of water utilities (SEK 45 million). In the framework of another project in Yalta (Crimea) that will be financed by EBRD (€ 10 million), SIDA also provides a grant of SEK 40 million for purchase of wastewater treatment facilities and elimination of wastewater discharges to the Black Sea.

In Mykolaiv, preparations are under way for implementation of a joint project with EIB - Development of Water Supply and Sanitation Systems in Mykolaiv - with the overall costs over € 31 million. Besides that, programs for investments and development of water supply and sanitation systems in Lviv and Zaporizya operate jointly with EBRD and WB.

1.3 Rights and duties of users and other right-holders

Laws and regulations in force at the territory of the country ensure informing right holders and consumers on their rights and duties and ensure their access to relevant information. The underlying legal framework incorporates: the Constitution of Ukraine (art. 34, 102), laws of Ukraine on Information (1992), on Access to Public Information (2011); on Citizens' Applications (1996), on Drinking Water and Drinking Water Supply (2002), on Ensuring Sanitary and Epidemiological Wellbeing of the Population (1994), as well as recommendations on practical implementation of Law of Ukraine on Access to Public Information - the recommendations were developed in 2011 by the Ukrainian Independent Centre of Political Studies with support of a joint project of the European Union and the Council of Europe (Promotion of European Standards in Ukrainian Media). The recommendations are available as a printed document and on-line (www.ucipr.kiev.ua).

According to the above laws and regulations, right holders have access to information through their direct information requests or on web-sites of relevant authorities. According to Order # 390 of the Ministry of Regional Development of Ukraine of 30.07.2012 - "Procedures of Informing Users on the Range of Housing Maintenance and Utilities' Services, on Structure of Prices/Tariffs, Changes of Prices/Tariffs with Substantiation of their Necessity and on Accounting for Relevant Positions of Territorial Communities" - relevant information should be posted on the Ministry's web-site and incorporated into the National Report. Water utilities also introduce mechanisms to inform their customers and ensure their access to information. As an example, Kyiv Water Utility (www.vodokanal.kiev.ua) holds sessions of its information media club, implements information

campaigns (e.g. Work for True Men campaign in February 2013), concludes direct service contracts with users, etc. Many water utilities of Ukraine maintain their web-sites and PR departments.

Public hearings represent an effective mechanism allowing right holders to participate in decision-making on qualitative and quantitative levels of service provision. However, such hearings are not duly used by both authorities and the public. Public control of service quality may be also considered as such mechanism.

Rights and duties of both right holders and users are legislatively fixed, including rights for compensations for non-compliance with the due legislation on drinking water and drinking water supply, provisions for emergency water supply of residents in cases of failures of centralised water supply systems, etc.

Effective mechanisms for restoration of infringed rights and compensations for the damages incurred incorporate court remediation with issuance of court rulings according to Art. 48 of Law on Drinking Water and Drinking Water Supply and Law on Ensuring Sanitary and Epidemiological Wellbeing of the Population, as well as application of administrative sanctions.

However, no compensations for users are stipulated in the case of washing and disinfecting of water supply networks with subsequent laboratory control of water quality. In practice, no deductions from water supply and sanitation bills are applied in cases of provision of understandandard services to users. The situation may be attributed to the fact that users are not aware of relevant procedures or simply do not believe that they may get redress for understandandard services in courts.

"Notwithstanding official statistical information on non-compliance of water quality with applicable standards in a number of cities of Ukraine (in 2011, in 261 cities of Ukraine understandandard water was supplied to residential users), so far, there were no readjustments in utility bills of residential users (physical persons) in connection with such cases in Ukraine. Only in one known case, a water utility was sanctioned - according to Order # 758 of the National Commission for Power Industry Regulation of 24.03.2011, "Clean Water - Berdyansk" water company had to pay a monetary fine of UAH 85 thousand and was obliged to ensure provision of drinking water to its users in compliance with DSan PiN 2.2.4-171-10" (The Right to Water and Sanitation. The Legislative Framework and Situation in Ukraine, Kyiv, 2011, UNENGO MAMA-86).

Authorities' reporting and accountability mechanisms include national and agency-specific reports, that are publicly accessible via mass media outlets or relevant web-sites (however, the latter mechanism is not applied to its full extent).

In particular, the State Water Resources Agency of Ukraine reports under budgetary program State Monitoring of Surface Waters, Water Cadastre, Certification, Water Management; the State Statistics Service of Ukraine collects state statistical reporting forms (annual reporting form # 1 "Report on Operations of a Water Distribution Network (a stand-alone water supply network)"

1.4 Incentive framework for water and sanitation service providers

The National Commission for State Regulation of Utilities operates in the framework of implementation of investment programs of economic actors in the sphere of centralised water supply and sanitation.

National authorities encourage water utilities to reduce water losses in centralised water supply networks. Encouragement mechanisms include: tax incentives, access to governmental contracts, etc. particularly for SMEs operating in priority sectors. These measures stipulate gradual transition from direct budgetary allocations to indirect tools for promotion of regional development.

Water and sanitation service providers operate under their relevant workplans and provide their services to all population groups without any differentiation.

National authorities apply mechanisms to encourage centralised water supply and sanitation service providers to serve all users equitably, including users of low income, vulnerable and marginalised groups. The following mechanisms are applied: subventions for implementation of state social programs; budgetary compensations to local budgets for provision of subsidies to cover service costs (100% in 2011). However, such mechanisms are not available for decentralised water supply systems (except commercial ones). State subsidies to regions are provided solely for infrastructure development purposes, not to cover service costs.

For social protection of low income population groups, national authorities provide housing subsidies to cover expenditures for housing and utility bills (including water supply and sanitation ones), individual benefits to large and low income families, disabled children and temporary benefits for children according to the State Budget and Decree # 621 of the Cabinet of Ministers of Ukraine of 14.07.2010 on Improvement of Social Protection of Residents in Connection with Housing and Utility Bills and other regulations.

According to the due legislation, residential tariffs for water and sanitation services are set solely as costs plus necessary investments. A cross-subsidisation mechanism in a given area allows to subsidise some users at the expense of other categories (residential users, businesses, budgetary organisations). Water supply and sanitation tariffs of key service providers in a given area are set for residential users and businesses. However, no effective mechanisms are available to encourage service providers to develop tariff structures that could ensure affordability of prices for all population groups.

Part 2. Reducing geographical disparities

Quantitative information on geographical disparities			
Provide the official definition of rural, urban and (if applicable) peri-urban areas in your country/region	City - settlements with at least 10 000 people, most of whom are workers and employees. Townships - urban settlements of not less than 2 000 people and more than half of employees not working in agriculture or forestry.		
	Rural settlement is characterized by the fact that most of its inhabitants are engaged in the agriculture. They also have low-rise residential buildings with gardens and a small population. Rural settlements include large (from 2 000 to 5000 residents or more), medium (1 000 – 2 000 residents) and small (up to 1000 inhabitants): Law of Ukraine on administrative-territorial structure of Ukraine The terms “peri-urban” is not defined in Ukraine		
	2011	2009	Source

Rate of access to water in urban areas (%)	88%*	88%*	National Report on the water quality and State of drinking water supply of Ukraine (2006-2011), Official report of the International Congress ETEVK
Rate of access to water in peri-urban areas (%)	Not relevant	Not relevant	
Rate of access to water in rural areas (%)	22,2%*	21,5%*	
Rate of access to sanitation in urban areas (%)	61%*	58,9%*	
Rate of access to sanitation in peri-urban areas (%)	Not relevant	Not relevant	
Rate of access to sanitation in rural areas (%)	3%*	3%*	
Public financial resources spent in reducing geographical disparities in access to water and sanitation (million EUR)	17.184	1.85	Official report“Implementation of the Budget of Ministry of Regional Development in 2011, National Report on the water quality and State of drinking water supply of Ukraine (2006-2011)
Public financial resources spent in reducing geographical disparities in access to W and S (EUR/capita)	1,2	0,16	
Public financial resources spent in reducing geographical disparities in access to W and S (% of public budget spent on W&S)	4,8	6,5	

Note: The current statistics of Ukraine does not have and does not allow to calculate the level of public access to water or sanitation. Available data are only on the proportion of settlements with the centralized water supply and sewer. These data are shown in the table with an asterisk (*).

It should be taken into account that the lack of centralized water supply/sewage systems does not exclude the possible presence of the decentralized systems in the settlement. On the other hand the presence of centralized water / sewage systems does not guarantee that these services are provided of a good quality.

Ukraine faces the problem of geographical disparities in access to water, associated with substantially different climate conditions, uneven spatial distribution of water resources, different regional urbanisation levels, etc. In the reporting period, some steps were made to address these disparities, however, to assess their efficiency and appropriateness, it is necessary to consider the state of water supply and sanitation sector in the whole country.

As a result of constant lack of financing of Water Supply and Sanitation (WSS) development during almost 20 years, the WSS infrastructure is substantially aged and actually operate at the level of high risks of accidents.

Another problem, that contributes to growing geographical disparities, is associated with WSS tariffs, which don't cover the real costs of these services. As a result, water utilities became loss-making, unprofitable, they cannot upgrade the infrastructures and renovate the main assets.

Ukraine now faces the situation when absolutely all WSS systems are outdated. In the majority of settlements, revenues from water utility bills even fail to cover services costs. At such conditions, the state priority is to lead sector out of crisis, unfortunately reduction of geographical disparities is considered as less important.

Geographical disparities in access to WSS exist as a result of different quality of WSS services in urban and rural areas and with differences in quality and costs of these services in different regions of Ukraine.

Main causes of disparities between urban and rural areas

While technical quality of water supply and sanitation systems in major cities is poor, in rural areas these systems are in some cases absolutely inadequate. The first problem is associated with substantial underfunding of WSS systems in rural settlements in 20 recent years. While major cities were able to replace obsolete infrastructures at least partly due to local budgets, in the case of villages budgets such finance allocations were simply impossible. District and oblast-level budgets also have only rather limited possibility to finance such measures.

Some water systems were left without owners. In the Soviet period, group water supply networks were built. They supplied drinking water to several villages in a district and technical grade water for irrigation. When collective farms were dissolved, operations of such cluster systems became profitless; moreover these systems actually almost out of operation.

Level of coverage by centralised sanitation systems in rural areas was and still is extremely low (only about 3%). The quality of decentralized sanitation systems practically is out of control and their state is inadequate.

Besides that, costs of water and sanitation services in rural areas are much higher comparatively to cities. It relates to low capacity systems and to higher operational costs. Sometimes water to the villages is transported to larger distances, what is resulted in higher costs. Besides that, if a city water utility supplies water to its rural counterpart, the former may charge higher rates comparatively to tariff rates paid by urban users.

Decentralised water supply and sanitation installations belong to their private owners. So far, the state does not provide direct finance support to private owners for development of such systems.

So, the situation in the sphere of ensuring the right to water and particularly, to sanitation in rural areas of Ukraine still remains extremely difficult.

In order to address the situation, some important political decisions were made at the national level. In particular, the State Targeted Social Program for Priority Provision by Centralised Water Supply of Rural Settlements that used (truck) transported water up to 2010 was adopted and later extended to 2015. Besides that, finance allocations for development of water supply and sanitation facilities in rural areas were set as a separate budget line in National Targeted Program "Drinking Water of Ukraine for 2006 – 2020", and in the overwhelming majority of regional water supply development programs. For example, Program "Drinking Water of Crimea" stipulates co-financing from the state budget and local budgets, but in the case of rural areas state budget allocations are the main sources of financing.

At the same time, planned actions are not implemented to the full extent due to chronic underfunding of state programs, including "Drinking Water of Ukraine" which has been financed only by 20%. All others regional development programs also remain underfunded. In the reporting period, the State Targeted Social Program for Priority Provision by Centralised Water Supply of Rural Settlements that used (truck) transported water was not funded in 2010-2012.

So, notwithstanding some important legislative steps towards reduction of disparities in access to water and sanitation services between urban and rural areas, in practical terms the gap actually remains uncovered due to chronic underfunding. Moreover there is a trend to increase the numbers of the rural settlements supplied by transported.

Geographic disparities between different regions of Ukraine

Ukraine is a country with limited water resources, moreover available water resources are distributed unevenly at the territory of Ukraine. Up to 70% of drinking water supply relies on surface water sources, particularly rivers of the Dnieper river basin. Underground water resources provide up to 30% of water for drinking purposes. The Water quality in different resources is extremely unevenly. While Central and the majority of Western Ukraine regions have underground water resources of high quality that might be used almost without any treatment, in the Northern, Eastern and Southern regions water from surface and underground sources needs substantial treatment.

Water quality in local water sources also demonstrates substantial differences. dominantly rely on surface water that requires at least two stages of treatment.

Naturally, such uneven distribution of water resources results in uneven quality of water services and in differences in their costs. Besides that, as it was already noted, water treatment systems are seriously deteriorated and almost all of them need major modernisation, that also contributes to increasing of geographic disparities.

Relating to sewer and wastewater treatment services (and the right to sanitation), almost all regions of Ukraine face serious problems.

Naturally, so different availability of water resources results in substantial disparities in costs of water and sanitation services. In regions where water supply requires long-distance transportation or special water treatment technologies, water supply costs are much higher. At the same time, as tariff-setting in Ukraine is a political matter (see above), such major disparities cannot be easily identified. In particular, due to artificially low tariffs for residential users in AR Crimea tariffs are almost the lowest in Ukraine, notwithstanding that local service provision costs are rather high. On the other hand, disparities

between water supply costs and relevant tariffs make water utilities loss-making, and - as a result - adversely affect quality of the services. When 100% cost recovery be reached finally, disparities in tariffs between different regions are expected to raise.

In 2011, a national regulator was established in Ukraine to address tariff policy issues - in Ukraine. The Commission should estimate and set service tariffs, including tariffs for water and sanitation services in cities with more than 40 thousand residents (in other cities tariffs are set by local authorities). However, after 2 years of its activities, the Commission has failed to ensure full cost recovery.

The Ministry of Regional Development, Construction and Housing and Utilities monitor tariffs, so far the affordability of WSS services isn't a subject of this monitoring, however the new monitoring systems are already developed, which includes WSS prices and affordability parameters. Their implementation will start in 2013.

As for cross-subsidisation between regions of Ukraine, it is legislatively prohibited. According to the due legislation of Ukraine, tariffs are set at the base of service costs and the investment for WSS systems development component. Introduction of any additional components to cover differences in costs of water and sanitation services is prohibited.

There is another cross-subsidisation mechanism that relies on different water tariffs for residential and non-residential users in a particular settlement. However, such a mechanism is hardly efficient. Experience suggests that higher tariffs induce facilities to look for other water supply options (e.g. using standalone water well). Such cross-subsidisation results in cost disparities even in individual settlements.

There are some objective reasons for substantial differences in quality and quantity of water and sanitation services in different regions of Ukraine. At the contemporary stage, reduction of these disparities is not considered as a state priority, so associated activities have no adequate financing. Moreover, after achieving full cost recovery level, these disparities will increase additionally.

Geographical allocation of external support for the sector

Taking into account that now almost all WSS systems of Ukraine need substantial external support, it is almost impossible to identify some regions that lag behind particularly seriously. Identification of financing allocation areas depends on priority of activities. Today the highest priority actions are associated with measures to prevent failures of WSS systems, followed by measures on improving water quality, etc. without taking into consideration geographic location. In Ukraine there is no attempts to identify the regions which are lag behind in water supply and sanitation. Under the underfunding of WSS sector development there are no steps forward to decrease geographical disparities between regions.

International support to improve access to drinking water and sanitation services is predominantly provided to formerly deported peoples –Crimean Tatars in AR Crimea.

The main conclusions on matters of reduction of geographical disparities in access to water and sanitation are the following:

1. For Ukraine in general, water and sanitation issues and right to water and sanitation are extremely relevant and need to be addressed as soon as possible. On such background, unfortunately geographical disparities are not considered as a priority.

2. Preconditions for geographical disparities between urban and rural areas developed historically. Quality of services in rural areas is usually lower while service provision prices are higher.
3. There is no special program for reduction of geographical disparities between rural and urban areas in Ukraine; however, almost all state and regional programs define rural water supply and sanitation as a one of priorities. At the same time, chronic underfunding of these programs results in failures to implement planning measures and the disparities remain unchanged.
4. Geography of Ukraine and uneven distribution of water resources create preconditions for substantial geographic disparities between regions.
5. The existed legal framework of Ukraine stipulates only fragmental measures to reduce the geographical disparities. Such disparities in service provision will only increase in the nearest future.
6. In fact all regions of Ukraine are facing the challenge to ensure the right to water and sanitation in full scale, so it is not possible to identify some regions that lag behind particularly seriously. There is no special national program to decrease the disparities between the regions.

Part 3. Ensuring access for vulnerable and marginalized groups

Quantitative information on vulnerable and marginalised groups			
Provide the official definition of vulnerable and marginalized groups in your country	Socially vulnerable population - individuals or social groups that are more likely than others to suffer social losses of economic, environmental, technological and other factors of modern life. For some social groups there is a separate definition provided in the relevant legislation (disabled, homeless, etc.)		
	2011	2009	Source
Rate of access to water in the country (%)	In 2010: 26.1% of rural population and 90.5% of urban population have access to water supply	in 2008: 28% of rural population and 88% of urban population have access to water supply	State Agency of Water Resources
Rate of access to water by the poorest fifth of the population (%)	No data	No data	
Rate of access to sanitation in the country (%)	Proportion of the population that has centralized sewage system – less than 20% in rural, and 80% in cities and urban settlements		
Rate of access to sanitation by the poorest fifth of the population (%)	No data	No data	
% of water and sanitation facilities open to the public that are accessible to	No data	No data	

people with disabilities			
% of schools that have sufficient and adequate water and sanitation services	85% schools with water supply 94,4% schools with canalization, including 44% schools with a cesspool/pit latrine	82% schools with access to water supply 91% schools with canalization, including 43% schools with a cesspool/pit latrine	State SES's Data, Reports on environmental factors affected human health (form № 18), protocols of laboratory analysis of tap water at schools for compliance with SSRN 2.2.4-171-10 "Hygienic requirements for drinking water intended for human consumption"
% of hospitals that have sufficient and adequate W and S services	Data not available	Data not available	
% of prisons that have sufficient and adequate W and S services	Data not available -	Data not available	
% of persons without a fixed residence that have access to W and S through public facilities	lack of objective information on the number of homeless persons	lack of objective information on the number of homeless persons	
Number of people lacking access to W and S that live in neighbourhoods where access is available	11.3 Mln without water supply network 11.8 Mln without canalization	12,9 Mln without water supply network 13,8 Mln without canalization	Calculation according to the UkrStat data****
Public financial resources spent in ensuring access to W and S by vulnerable and marginalized groups (Mln EUR) or (EUR/capita)	Data not available	Data not available	fragmentary information for certain items within the Budget or targeted programs, no possibility to estimate funds spent on the items for these groups.

**** Estimates are general based on Socio-demographic data of households in Ukraine in 2012 (according to the survey of households in Ukraine): Statistical Yearbook. - K., 2012. - 82 p., Socio-demographic data of households in Ukraine in 2009

3.1 Public policies to address the needs of vulnerable and marginalised groups

The state guarantees protection of rights in the sphere of drinking water and drinking water supply by provision of drinking water of standard quality to every person and in quality within scientifically substantiated norms of drinking water supply, set depending on regions and living conditions (according to Law of Ukraine on Drinking Water and Drinking Water Supply). However problems and needs of vulnerable and marginalised groups are not specified separately.

An official definition of a national legislative act does not exist except a notion of "persons, specific social groups in difficult living circumstances", i.e. in circumstances caused by disabilities, age, health or social status, habits or lifestyle, due to which a person lacks fully or partly (failed to acquire or lost) capacity or ability to manage his/per personal (family) life independently and participate in social life, and need a state intervention to address his/her living problems.

It is generally accepted that socially vulnerable population groups mean individuals or social groups at higher risks of social losses from impacts of economic, environmental, technogeneus and other factors of modern life (pensioners, the disabled, families with children, orphan children, the youth, the unemployed, victims of the Chernobyl disaster, low income and marginalised groups (the homeless, alcohol and substance-dependent, criminals), etc). Marginalised groups are persons, who lost their previous socio-economic status, are excluded from the system of legitimate social relations, failed to adapt to new social condition and - as a result - are alienated from social life processes.

Problems of access of vulnerable and marginalized group's analysis:

- available information on different categories substantially differs in terms of completeness, coverage, availability of time series and reliability;
- data on numbers of individuals in specific groups is not easily available from official statistics, or are merely estimates;
- usually funding is not separately allocated to ensure access to water and sanitation;
- there is an opportunity to fall on different criteria referring to such groups at the same time, while restricting access is enhanced through combined action of various adverse factors;
- restricting access caused not only by objective factors (spatial, financial and institutional) but also by behaviour.

3.2 Persons with special physical needs

Creating conditions for unhindered access of the disabled to social infrastructure, facilities of public and civil purposes, creating at the workplace of disabled person appropriate conditions, including sanitation, is stipulated by the Ukrainian legislation.

Spatial planning and development of settlements, design, construction and reconstruction of physical environment objects without adjustment for disabled person's usage is not allowed.

State Target-specific Program - the National Action Plan for Implementation of the Convention on the Rights of Persons with Disabilities up to 2020 includes provision of barrier-free access of the disabled to civil and public facilities up to 50% by 2020.

However, all these positions concern the full range of rights and needs of people with special physical needs, and the issue of access to water and sanitation is not separately represented, there is no targeted funding to ensure access to water and sanitation for disabled.

The Law defines the possibility of the usage of amounts from the Fund of Social Protection of Disabled paid for each workplace, designed for the employment of disabled people and not occupied by him, among other things, for the establishment of adequate sanitation at the workplace of the disabled.

The general benefits for utilities also include a discount of the cost of water supply and sanitation for disabled of I and II groups.

Compliance with hygiene requirements of inpatient (residential) institutions of social services for pensioners, the disabled and single disabled people is controlled by SES.

Maintaining of Centralized Database of Problems of Disability with appropriate budgetary financing (National Plan of Action to Implement the Convention on the Rights of Disabled Persons) in our opinion, will allow to more specifically focus on the problem of equitable access to water and sanitation for people with special physical needs.

3.3 Users of institutional facilities and institutionalised persons

There is a state-regulated system for requirements for institutional establishments that appears under Building Codes, Standards of SES with their placement and retention, industry standards, the relevant provisions, etc. and regularly audit of compliance with responsible departments. Data on access to water and sanitation of such users is available from the results of SES inspections, departmental monitoring and data of independent studies and surveys.

There is a special task in the National Program "Drinking Water of Ukraine" for 2006-2020 concerning the installation of tertiary water treatment installations (units) for water supply of pre-school facilities, schools and public health facilities, and establishment of drinking water vehicle filling and delivery facilities.

Refugees, illegal migrants

Provision of foreigners and stateless persons regulated under keeping them in temporary accommodation centers, creating sanitation as provided by law, which concerns the whole population and the Model Regulations (the temporary stay of foreigners and stateless persons who are illegally residing in Ukraine and the temporary accommodation centers). They are provided on a 24/7 basis an unhindered access to the water point with shower and toilet rooms (separate for men and women), wastewater engineering treatment is carried out in the urban sewer network or autonomous biological treatment plants.

Provision of adequate accommodation and sanitary conditions (including water supply) to foreigners and stateless persons is regulated in the frame of keeping them in Temporary Refugee Accommodation Centres, assurance of sanitation is provided by Law, which concerns the whole population, and by Model Regulations (Of Centres for Temporary Accommodation of Foreigners and Stateless Persons, Who Stay in Ukraine Illegally, and On Temporary Refugee Accommodation Centre). They are provided free 24 hours access to water, centres are equipped by shower rooms, washrooms and toilets (separately for men and women), wastewater flows of the centres are discharged to municipal sewers or to standalone biological treatment facilities.

Maintenance of the due sanitary and epidemiological status in a Centre belongs to the sphere of competence of its responsible staff members and is controlled quarterly by territorial Sanitary and Epidemiological Facilities.

Financing of Centers by water and adequate sanitation is carried out at the expense of the State Budget.

Inmates in penitentiary facilities

According to the State Penitentiary Service, all penal institutions are provided with regular water supply and sanitation, there are contracts for laboratory studies of drinking water quality between medical care departments of Internal Affairs of Ukraine and territorial bodies of SES. Correctional institutions and establishments for sentenced men and women are separated, so the toilets used by persons of the same sex.

State funding of drinking water is provided by the Law of Ukraine on the State Budget of Ukraine for the corresponding year in the budget program KPKVK 3606020.

However, there is evidence of external and internal audit of inadequate sanitary conditions, especially in temporary detention wards and remand.

Children in pre-school facilities and schools

Almost all education facilities provide 24/7 water supply and sanitation services, however, some regional disparities exist. In particular, in 2011, in Ukraine, the share of pre-school and secondary education facilities with access to water of adequate quality reached 94.8% and 85%, respectively vs. 94.8% and 82% in 2010, and 94.4% and 82% in 2009. Specialists of territorial SES units maintain scheduled laboratory control of drinking water quality. By 2015, shares of education facilities with drinking water of adequate quality should increase by 15% in cities and townships, and by 10% in villages. Correspondingly, shares of education facilities connected to sewers and equipped by cesspools should increase by 15% in cities and townships and by 5% in villages (according to the National Targets for Ukraine under the Protocol on Water and Health).

Now, in the whole country, cesspool sanitation systems are applied in 8479 (44%) of secondary education facilities (comparatively to 8573 or 45%) and 4309 (32.7%) of pre-school facilities. Numbers of secondary education and pre-school facilities without any sanitation services reach now 1087 (or 5.6%) and 172 (or 1.4%), respectively. In the public focus is absence of stationary toilets in rural schools. All educational institutions are provided with all necessary facilities (including separate toilets) except hygiene rooms for the girls.

Specific budgetary allocations were defined in the List of Projects for Implementation of Measures stipulated by National Program "Drinking Water of Ukraine" for 2006 - 2020 first of all in regions of environmental crisis, as well as for water supply of pre-school and school facilities, including the ones in rural areas, and launch of specialised facilities for filling vehicle carriers by drinking water and its delivery by specialised vehicles. Extra budgetary funds are also involved - in the frame of the projects on safe water, sanitation and hygiene for schools in Ukraine funded by WECF and FE Fund dry stationary toilets for 5 schools, 12 local systems of local treatment of drinking water for kindergartens, schools and orphanages were installed.

Hospitalised patients

There are requirements of state building codes of Ukraine's water supply, hot water supply, sewerage and drainage, industry standards of accommodation, equipment and operation of hospitals and their state accreditation, requirements of State standard to the quality of water supplied to industrial and drinking needs, etc., and how they are controlled by the territorial SES.

However, in practice such water supply norms often are not met, that is recognized by imposed by SES penalties and by allocation of funding in the program "Drinking Water of Ukraine" for the additional purification of water for drinking purposes, settlement of points of bottling drinking water and its delivery to specific list of hospitals in different regions of the country.

In addition to problems of hospital patients, it is necessary to pay attention to problems of medical personnel as well. In particular, they often lack shower rooms, adequate conditions for menstrual hygiene of medical personnel with round-the-clock work schedule (particularly ambulance and reanimation personnel, etc.).

Public finance resources in the sphere of drinking water supply and sanitation in health care and disease prevention facilities are allocated according to amounts stipulated by a Law of Ukraine on the State Budget of Ukraine for a particular year for local executive bodies, local authorities and water utilities.

All health care facilities are equipped by separate toilets for men and women. In almost all central hospitals and medical clusters, necessary condition are provided for personal hygiene including menstrual hygiene (there is no official data on this issue), while in smaller municipal health care facilities situation is worse, particularly in rural areas.

3.4 Persons without a fixed residence

The country lacks information on real numbers of persons without a fixed residence. Estimated data – about 100-800 thousand persons, according to the Ministry of Social Policy of Ukraine, in 2011 alone, Adolescent Services conducted raids that allowed to identify 19,5 thousand homeless children.

In 2011 there were 135 facilities that provide social policies to the above population groups (the range of services always included sanitary and hygiene ones) however they are financed only from a local budget and not always in the necessary amount.

Measures for social protection of homeless persons and abandoned children are financed from the state budget and local budgets with potential contributions of citizens' associations, facilities, bodies and organisations, charitable donations, etc. It is impossible to assess a share of these funds dedicated to ensuring access of these persons to water and sanitation at the national level.

Notwithstanding that the State Target-specific Social Program for Poverty Prevention and Eradication up to 2015 declare application of annual data of the Ministry of Social Policy of Ukraine on "the ratio of numbers of homeless persons and persons released from penitentiary facilities, who need social reintegration and social adaptation in a region to the number of beds in facilities for the homeless and for persons released from penitentiary facilities", assuming availability and tracking of relevant data, no such information was found in open sources.

There are considerable local activities. For example, nearby Lviv, a centre of "Oselya" Mutual Assistance Community NGO operates (in cooperation with the city municipality and Lviv City Employment Centre). In facilities of Kirovograd city SES (with support of charitable donations) the homeless may get access to hot water, shower rooms. In Poltava, the Centre for Adaptation of the Homeless and Former Convicts was launched in response to initiative of "Light of Hope" Charity and with support of city authorities (however, regardless free access, homeless persons of Poltava hesitantly apply for services of the centre.)

In many towns the public toilets and baths are missing or lacking, and payments disability of homeless makes access to these facilities limited.

3.5 Persons living in housing without water and sanitation

According to the data of the State Statistics Service of Ukraine the shares of residential housing connected to water supply, hot water supply and sanitation networks in 2011 were 63.3% (55.5% in 1995); 43.9% (35.0% in 1995); 58.2% (47.3% in 1995). Based on results of a sample survey of living conditions of Ukrainian households on availability in the houses of water supply (74.3%), sanitation (73.1%), hot water supply (31.9%), a bathroom or a shower room (69.1%), gas fuelled water heaters (17.0%) we roughly estimated that 11.3 million person lived in housing without water and 11.8 million

persons lived in housing without sanitation. Since 2009 there is a slow progress (then with water and sanitation 71% and 69% of households, respectively, were equipped, a bath or shower had two-thirds of households, and gas water heater 15%).

According to the National Targets of Ukraine under the Protocol on Water and Health by 2015, the share of residents with access to drinking water of adequate quality should reach 90% in cities and townships and 50% in villages, while relevant shares of residents with access to centralised sewers should reach 80% in cities and townships and 20% in villages.

However, this position refers more to the persons, which denied basic services of water supply and sanitation in case of the location of housing in neighborhoods / areas where there is existing possibility of such access, and the reasons for non access are dispossession, poor quality of rented premises, unauthorized seizure and discrimination against minorities. It is therefore not possible to make an adequate assessment if we take into account this vision.

3.6. Persons without access to water and sanitation in their workplaces

According to article "Employee's rights to occupational safety" of Law of Ukraine on Occupational Safety (Law № 2694-XII of 14.10.1992) , workplace sanitary conditions must comply with legislatively set requirements, approved General Requirements to Employers on Matters of Ensuring Occupational Safety that stipulate for sanitary-epidemic norms. However, in reality, in crisis times and in the case of small facilities (including both municipal and private ones), compliance with these requirements and control of compliance are often simply non-existent. Additional studies are necessary to assess workplace access to water and sanitation.

Roma people

Roma people represent another social group, whose limited access to water and sanitation is recognised, but information on the scale and gravity of the phenomenon is rather limited and fragmentary. There is no reliable data about numbers of Roma people in Ukraine (from 200 thousands to 400 thousands persons according to Roma human rights groups, official Census data suggest a figure of 47,6 thousands).

According to a survey, conducted in 2002, only a third (32%) of surveyed representatives of Roma families reported having operational water supply in their flat (house). Program "Roma population of Zakarpattya" in 2012 - 2015 years stipulates provision of improved communal conditions with financing of constructing of public drinking water wells.

Conclusions:

1. It is impossible to make a general substantiated situation assessment for all vulnerable and marginalised groups, because available information on different categories of such population groups substantially differs in terms of completeness, coverage, availability of time series and reliability.
2. The State guarantees the protection of rights in the field of drinking water by ensuring everyone with drinking water of a normative quality within the science-based standards for drinking water, depending on the area and living conditions, but the problems and needs of vulnerable and marginalized are not separated.
3. The most reliable and substantiated situational analysis might be made for the category of users of institutional facilities and institutionalised persons. None of the groups may be considered as the one

that enjoys adequate access always and everywhere, however, "hospital patients" and "refugees and illegal migrants" may be considered as social groups in the most favourable situation. Regardless declarations that children in Ukraine are a privileged social group, problems of access to water and sanitation in pre-school facilities and in schools needs immediate remediation, particularly in rural areas. In 2009-2011 the proportion of schools that are not canalized generally decreased from 9% to 5.6%.

4. For the majority of vulnerable and marginalised groups, the situation analysis reveals major gaps between available underlying legal frameworks and their practical implementation and control of compliance especially if finance matters are involved.

5. Data on the public financial resources spent on providing access to water and sanitation for vulnerable and marginalized groups is provided only fragmentary, in few articles of the State budget or within the funding of targeted programs.

6. To improve the situation, we can recommend a combination of behaviour change (as a representative of a social group, and society's attitude to his needs and problems), changes in policy and practice; intersectoral partnership; making decisions based on evidence: collation, the isolation and synthesis of scientific knowledge with disclosure and their availability to the public. It is reasonable to make further study with consideration of the needs of individual groups (including the elderly).

Part 4. Keeping water and sanitation affordable for all

Quantitative information on affordability			
Please, provide the official definition of affordability (and/or target) in your country	<p>The legislation ensures availability of all utility services to the poor through the provision of state aid in the form of housing subsidies to cover part of expenses for housing and utilities:</p> <p>A) Regulations on the use and provision of subsidies for reimbursement for housing and communal services the Cabinet of Ministers of Ukraine Order of October № 848 from 21, 1995</p> <p>B) the Cabinet of Ministers of Ukraine Order № 1156 from July 27, 1998 "On the new value of the cost of housing utilities, purchase of liquefied natural gas, solid and liquid stove fuel in case of granting of housing subsidies".</p> <p>The right to subsidies have families in which payments for utility services within the norms of consumption exceeds the amount specified by the Cabinet of Ministers of Ukraine mandatory interest payment for housing and communal services, which:</p> <ul style="list-style-type: none"> ➤ for households consisting only of disabled people is 10% of the average monthly gross income; ➤ for households, that are registered with children, the disabled of the first or second group, and have the average monthly total revenue per registered person less than the subsistence minimum - 10% of the average monthly gross income; ➤ for all others household – 15% of the average monthly gross income 		
	<p>National Bank of Ukraine has established the following official exchange rate to the Euro:</p> <p>31.12.2009 – 11,448893 UA H/Euro 31.12.2011 p – 10,537172 UA H/Euro. http://www.bank.gov.ua</p>		
	2011	2009	Source
Amount of the average water and sanitation	Costs of water supply and sanitation services	Costs for the use of water supply and	IDSr, UkrStat Access: on info-request

bill in the country (EUR/year)	per household on average are 44 UA H/month and 528 UA H/year. (50.1 EUR/year)	sanitation per household on average are 35.5 UAH/month and 426 UA H/year (37.2 EUR/year)	of the client. Information is available, indicators are not calculated
% of Households used centralized W&S services	68.5% of households use cold water supply services and 50.7% of households use sanitation services	67.0% of households use cold water supply services and 49.0% of households use sanitation services	IDSR UkrStat Access: on request of the client
Amount of the W&S bill in the country for households in the lowest wealth or income group (this refers people under the national poverty line) (EUR/year)	Costs for the use of water supply and sanitation per household averages 43.6 UA H/month and 523.2 UA H/year. (49.7 EUR/year)	Costs for the use of water supply and sanitation per household averages 33.5 UA H/month and 402 UA H/year. (49.7 EUR/year)	IDSR UkrStat Access: on request of the client.
Added indicator: The average share of centralized W & S services in the structure of the services cost for households receiving housing subsidies	11,27%	10,13% For 1,1% households part of the costs for cold water supply and sewerage is more than 10% of income	«Program for housing subsidies. Statistical bulletin”. January 2012. IDSR
Average disposable household income (or expenditure) (EUR/year)	The indicator is not calculated	The indicator is not calculated	
Added indicator: Average total household expenditures (recommended for evaluation of level of living of population) (€/year)	The average total expenditures per household is 3456.01 UA H/month and 41472.12 UA H/year (3935.8 EUR/year)	The average total expenditures per household is 2754,08 UA H/month and 33048,96 UA H/year (2886,7 EUR/year)	UkrStat
Added indicator: Average households cash income (recommended to evaluate ability to pay of the population) (EUR/year)	Average cash income per household is approximately 3452.80 UA H/month and 41433.60 UA H/year (3932.1 EUR/year)	Average cash income per household is approximately 2669,96 UAH per month and 32039,52 UAH per year (2798,5 EUR/year)	UkrStat
Changed indicator Average total income of households living below the poverty line for the country (EUR/year)	2067.23 UA H/month and 24806.75 UA H/year (2354.2 EUR / year)	1527.26 UA H/month and 18327.08 UA H/year (1600.8 EUR/year)	IDSR Ministry of Social Policy
Average household income in the lowest wealth or income group (please specify whether this refers to lowest	Income - 2521,25 UA H/month and 30254,94 UA H/year (2871,3 EUR/year)	Income - 1810,72 UA H/month and 21728,64 UA H/year (1897.9 EUR/year)	IDSR Ministry of Social Policy

quintile, lowest decile, or people under the national poverty line) (EUR/year)			
Public financial resources spent in ensuring affordability of the water and sanitation bill (million EUR)	housing subsidies from state budget (electricity, gas, W &S, solid waste and sewage removal) – 6.97 billion UA H (664.3 M EUR)	Subsidies from state budget for housing (electricity, gas, water and sewage, solid waste and sewage removal) – 5.94 billion UA H (563,5 M EUR)	Laws “On State Budget of Ukraine on 2009” and “On State Budget of Ukraine on 2011”
Public financial resources spent in ensuring affordability of W and S bill (EUR per capita)	2012 – 85,7 UAH		Ministry of the Regional Development
Public financial resources spent in ensuring affordability of the water and sanitation bill (% of public budget for W&S)	2012 - 81,6%		Ministry of the Regional Development

Average money income per household in Ukraine is approximately 3452.80 UA H per month or 41,433.60 UA H per year (3932.1 Euros/year).

In 2011 centralized water supply and sanitation services in Ukraine were received respectively by 68.5% and 50.7% of households. Payments for water supply and sanitation per household was on average 44 UA H per month, or 528 UA H / year (50.1 Euros / year). 24.3% of the population in Ukraine are below the poverty line (official data of State Selective Household Living Conditions Survey).

Affordability of water and sanitation services in Ukraine is maintained in the framework of the general system of maintaining affordable prices for all housing and utilities services. The system includes:

- provision of privileges (reduction) to pay of housing services for separate categories of users;
- provision of housing subsidies to low income users;
- provision of compensations to utilities to cover the difference between tariffs for residential users and service provision costs;
- application of cross-subsidisation of residential users by setting higher rates for other categories of users.

In 2012, subsidies from the state budget for the privileges and housing subsidies to pay for electricity, natural gas, heat, water supply and sanitation, rent, removal of household waste and wastewaters were 7.388 billion UA H (701.14 million Euros).

The most broadly used forms of privileges in the sphere of social protection of housing- communal services users is providing services free of charge or discounting (by 25%,50% or 75%) the payment for the services. The level of discount depends on the category of privilege recipients within the established norms of consumption. Discounted payments are granted to numerous categories of social groups, including disabled war veterans, participants of combat activities, war veterans, victims of the Chernobyl disaster, etc. Such privileges present the most common and the most costly form of social protection of

consumer of housing-communal services. More than 22% of residents of Ukraine are recipients of privileges to pay for these services.

Social protection of residential users of communal services is also implemented by provision of housing subsidies. Housing subsidies represent state support to users to cover partly their housing and communal services bills. These subsidies represent a targeted social protection mechanism to support low income groups, they are provided in non-monetary form to help to pay for housing rent and / or housing maintenance and communal services (water supply, heating, gas supply, sanitation, power supply, disposal of household solid waste and wastewater).

Average payment for centralized WSS in the housing and communal services payment structure for households, which receive the housing subsidies, is 11.27% (sources: Minsocpolicy's data).

The targeting of subsidies provision is ensured by the fact that they are provided only to persons with a certain low income. If a household's payments for housing and communal services, liquidified gas, solid and liquid fuel exceed a pre-set share of the household's income (10% - 15%), the household becomes eligible for a subsidy.

The legal framework for regulation of residential privileges and subsidies is provided by the Budget Code of Ukraine. Art. 102 of the Budget Code stipulates that expenditures for state social protection programs (in particular, privileges and subsidies to pay the utility bills) are financed by subventions from the State Budget of Ukraine.

In addition to privileges and subsidies established at the national level, local authorities may establish - relying on local budgets – additional local privileges and subsidies for low income persons and other categories of residents at their respective territories (e.g. payment discount for orphan children, disabled persons, widows of former political prisoners and repressed persons, etc).

The subsidies and privileges approved are provided to service providers by transfers of budget financing, calculated according to reports of social protection authorities.

In addition, the service providers get subventions from the state budget and local budgets to cover their losses in case if the tariffs don't cover the costs and the cross-subsidisation of residents by other categories of consumers is used.

Subsidies are provided if tariffs are set at the level lower than economically justified costs. Local authorities that approved such tariffs, must compensate to service providers (from local budgets) the difference between the approved tariffs/prices and economically justified costs of services. Such subsidies do not belong to the state social assistance system.

To improve financial state of WSS service providers in the Law of Ukraine "On the State Budget of Ukraine for 2012" (with amendments) it was planned 4.28 Billion UA H from the State Budget subsidies to local budgets for reimbursement of debts for difference in tariffs on WSS services.

The system of cross-subsidisation for residential users due to higher tariffs for other categories of users is applied at the national and local levels. Cross-subsidisation can't fulfil social protection function and is being gradually phased out.

According to the data of Minregionbud, tariffs for commercial consumers are higher than tariffs for residential consumers and the tariffs difference varies substantially, for example, for Water Supply services its varies from 5 times higher (in the city Vinnitsa) till in 1.3 times (in the cities: Zhytomyr, Bila

Tserkva, Lviv, Ternopil); for Sanitation services: from 5,4 times (in the cities Vinnitsa and Kharkiv) till 1.1 times (in the cities Zhytomyr and Lviv).

In practice all kinds of assistance are provided to consumers, who use defined services. The cost of the obtained privileges is as higher as bigger consumption volumes, and better the living conditions of the recipient of the privileges. The norms of housing-communal services consumption, adjusted for privileges and subsidies, are enough high, that gives possibility to obtain oversize assistance. Majority of rural residents, who have privileges and don't have the basic communal services, cannot materialise their rights to privileges.

The system of ensuring affordability of WSS services in Ukraine is cumbersome and inefficient. Due to subventions and cross-subsidisation, low service prices are set for all users regardless their income levels. The legal privileges for housing and utilities services are provided to large numbers of residents, regardless their individual economic state and real social protection needs.

Providing privileges for housing and communal services is regulated by more than 20 Laws of Ukraine. According to the Ministry of Social Policy administrative report on 01.01.2012 the right to the privileges for housing and communal services have 6.8 million citizens.

The privileges system is not balanced, in parallel with the privileges belong to the social protection system there is another system of privileges based on professional ground for the groups of population, which cannot be classified as socially vulnerable ones.

Privileges do not ensure a sufficient level of protection for low income households. Up to 60% of households received subsidies also use privileges for payment utility bills.

The most efficient protection is provided by the program of housing subsidies: low income households pay a certain share of a household's total income. If tariffs rise, the mechanism guarantees the same level of payments for services, while households with higher income levels pay the full price.

According to the State Statistics Service of Ukraine on 01.01.2012, the number of recipients of subsidies for reimbursement of expenses for housing and communal services was 1327.2 thousand households. Subsidies for housing and communal services received 7.8% of all households in Ukraine.

Parallel application of housing subsidies and privileges increases administrative costs of these programs that in fact fulfil almost the same functions. As a negative consequence, many users remain prone to paternalistic and consumerist attitudes, lacking incentives for energy/resources saving in the sphere of housing and communal services.

In Ukraine, the key information for analysis of households' ability to pay is provided by results of state sample surveys of living conditions of households (HLCs), which is conducted regularly since 1998 by the State Statistics Service of Ukraine. The HLCs micro-economic data base covers about 10.5 surveyed households (each consecutive year the selected households for survey are changed), that allows to analyse the ability to pay rather closely and annually or quarterly. Besides that HLCs data representativeness allows to extrapolate statistically sound results of analysis as to the households-users of these services in total, as well as to specific types of households, depending on regions, locations, living conditions, etc. At the same time, access to HLCs data is limited to a wide range of users, and the indicators of households' consumption of certain kinds of communal services, including WSS are not estimated, ability to pay analysis is not conducted on a regular basis, only at the request of customers.

Prices for water supply and sanitation in Ukraine, based on the ability to pay level, is quite affordable for the population as a share of the cost for the use of these services does not exceed 1.25% of household income. The affordability of WS services for poor is somewhat lower, but not critical. In 2011 the share of water supply and sewerage payment of poor households was 1.73% of their cash income. During 2009-2011 the tendency to increase the population ability to pay for the use of these services was observed.

Economic Reform Program for 2010-2014 "Prosperous Society, Competitive Economy, Effective State" (Committee on Economic Reforms under the President of Ukraine) in "Raising living standards" established objectives of the reform of social support in order to increase social assistance coverage of poor populations with rational use of budget funds, which include:

- increased targeted character of social assistance;
- the introduction of social norms of consumption housing and communal services (including water supply and sewerage);
- the introduction of incentives to economically responsible behaviour of recipients of social assistance.

It is worth to note that no measures are applied in Ukraine to ensure affordability of self-provision of water and sanitation services. In such cases no social support may be provided.

Affordability of tariffs for housing and utilities services (in particular water and sanitation ones) may be assessed based on households' ability to pay. In the case of household consumption of housing and utilities services, a household's ability to pay defines an income level, sufficient to pay utility bills without a substantial reduction of living standards, in particular without substantial reduction of consumption of other basic goods and services. Therefore, affordability of water and sanitation services for residential users depend on service prices (tariffs and consumption levels) and income levels of users.

In 2011-2012 the National Commission, which performs state regulation in the field communal services(NKRKP)) conducted a study of introducing a block tariffs for water and sanitation on a progressive scale (ascending block tariffs) to eliminate cross-subsidization one group consumers by others and create conditions for consumers with low consumption to pay the lowest tariff for first block. Information discussed with a wide range of stakeholders and experts. Members and employees NKRKP gave numerous interviews with the media on the introduction of block tariffs as a policy implementing "social" tariffs. The purpose of this policy is to protect the most vulnerable groups of the population by giving them service volume relevant to basic needs for an affordable, "social" price. Those who consume more should pay more. As on 15.02.2013 there is no decision to move towards a new system of tariff setting based on blocks. Experts believe that this decision is not popular and does not receive support among consumers and producers, because the system is complex for administration and not sufficiently transparent when there is no water metering at the level of individual consumers.

SUMMARY SHEET			
Section	Area of action	Score	Reliability
Steering governance frameworks to deliver equitable access to water and sanitation	1.1 Strategic framework for achieving equitable access	2,0	High
	1.2 Sector financial policies	1,0	Medium
	1.3 Rights and duties of users and right-holders	1,6	Medium
	1.4 Incentive framework for water and sanitation service providers	1,25	Medium
Reducing geographical disparities	2.1 Public policies to reduce access disparities between geographical areas	1,4	Medium
	2.2 Public policies to reduce price disparities between geographical areas	1,5	Medium
	2.3 Geographical allocation of external support	1,0	Medium
Ensuring access for vulnerable and marginalised groups	3.1 Public policies to address the needs of vulnerable and marginalised groups	1,4	Medium
	3.2 Persons with special physical needs	1,2	Medium
	3.3 Users of institutional facilities and institutionalised persons	2,2	Medium
	3.4 Persons without a fixed residence	1,3	Medium
	3.5 Persons living in housing without water and sanitation	0,4	Medium
	3.6 Persons without access to water and sanitation in their workplaces	1,0	Medium
Keeping water and sanitation affordable for all	4.1 Public policies to ensure affordability	2,2	High
	4.2 Tariff system	1,5	High
	4.3 Social protection measures	2,33	High

2. Ukraine: future steps and possibilities to use the results of the pilot testing of scorecard

Options available for improvement the access to WS in rural areas and decreasing the disparities between urban and rural areas:

According to official information provided by the State Agency on water resources responsible for implementation of the State Targeted social Program on priority measure's to provide centralized Water supply to the rural settlements supplied by transported water for 2013 there is finance allocation in state Budget for this program. This Program is aimed on decreasing the geographical disparities in Ukraine but in 2010-2012 it had no budget financing for implementation. Pilot team will actively use the results of baseline study to lobbying the Budget support of this program for the next years.

Options available for improvement access to sanitation:

Since 2010 the draft of the Law on water supply and sanitation is working on. Additional to it the draft of the State Program on Sanitation was developed and already 2 years it is on consideration of the Cabinet of Ministers of Ukraine. To lobby the Program approval is needed. The results of self-assessment can be used for these purposes.

The financing of others State programs are problematic and needs approval by the Ministry of financing and Cabinet of Ministers. The results of self-assessment will be delivered to the key Ministries and to Cabinet of Ministers of Ukraine.

At the local level in Sevastopol, there are city programs: "Canalization of Sevastopol" which is implemented and has financing allocated. There is a need to adapt the planned measures to the local conditions and set up social support for low income households to be connected to the main collector, just built in the district. The community of micro-district "Edinstvo" is going to organize the meeting to discuss the problems and the options of solutions, to evaluate the affordability of households to connect to main collector and find the financing mechanism which can ensure the equal right to water and sanitation of all dwellers of the micro-district. MAMA-86 will be involved as facilitator of this discussion and representative of the consumers at the decision-making process at city level.

The solution and its implementation will be developed as model for multiplication at city level.

The situation with disconnection of households from canalization (1020 households were disconnected from canalization in March 2013 in Sevastopol city) will be research and discussed with city authorities and water utilities to find the solution in context of ensuring equal access to WS for all residents of Sevastopol city.

Development agencies (DA) will be informed by "MAMA-86" about the results of self-assessment and the possibility to set/use the right-oriented criteria or approach for targeted aid programs, implemented in water sector in Ukraine will be proposed and discussed with DA .

Equal access to safe drinking water and sanitation

The State Sanitary and Epidemiology Service (SES) deals with safety of drinking water as a priority of its' activity and gives to this issue a special attention. However, we understand an importance of providing equal right to water and sanitation and a safety of drinking water is a principal characteristic of this right. The results of the self-assessment will be considered by State SES and taking into account and use in its work.

However, since this self-assessment instrument has no focus on drinking water quality area and has no methods to assess the quality of drinking water, and taking into account the existed problems within the

water sector related to drinking water quality (a number of non-standard drinking water samples on microbiological and chemical indicators are recorded annually in our country) the State SES will work and looking forward to cooperation with water sector and WHO- Europe and Ukraine offices to introduce the experience of European countries on introduction of approaches and methods based on risk assessment analysis and development of water safety plans and to adopt them in Ukraine for improving access to safe drinking water.

The results of the pilot will be presented to Mass media and delivered to top authorities of Ukraine to raise awareness of the authorities and other key actors of water sector on need to work on ensuring equal right to water and sanitation in Ukraine.

UNENGO "MAMA-86" will use the pilot results to continue WASH and WASH for schools campaigns in Ukraine. UNENGO "MAMA-86" launched WASH campaign in 2003 and WASH for schools in Ukraine in 2004.

3. Ukraine pilot results: Critical remarks on the Scorecard made by experts involved in its fulfilment

Critical comments on the score card

Glossary

It is recommended:

- to put one by one (now these definitions are in different parts of glossary) the definitions of "drinking water" and "Safe Drinking Water"

- to clarify the definition of GDP (economic size change indicator). GDP - Gross Domestic Product, the main macroeconomic indicators characterizing the total value of goods and services produced within the country in market prices over a certain period of time. Can be used two indicators - nominal and real GDP. Nominal (total) GDP expressed in current prices this year, the real (inflation-adjusted) - in the prices of the previous or any base year.

- to add the definition of "homeless person" - a person who is in social situation of homelessness.

The homeless included homeless persons and persons with shelter;

- homeless person: an adult who lives on the streets, parks, cellars and porches of homes, attics, unfinished construction, in other places, unassigned and unfit for habitation, including residential areas, which are in a dangerous condition;

- street children: children who have been abandoned by their parents, most left family or child care, where they were brought up, and have no fixed residence;

Do we need to focus on women? In this case they will hardly belong to vulnerable, perhaps with particular needs in time of menstruation. This issue is already taken into consideration for the certain groups. And it is stipulated in the document that to ensure equitable access to water and sanitation should consider gender, but in this paper, women are not considered vulnerable or marginalized groups.

It is recommended to remove Nomads and include Roma.

Part 1

Table on "International obligations on water and sanitation"

In general the table is informative, however it is very complex and overloads the score card, especially when using it at local level.

Specific question: instead of "Has the country signed this legal instrument?" we recommend more correct formulation "Has the country ratified the document?" or "Is you country a Party to the Treaty?"

It is recommended to list the international instruments in the following order:

Protocol on Water and Health 1999

1966 International Covenant on Civil and Political Rights (ICCPR)

1966 International Covenant on Economic, Social and Cultural Rights (ICESCR)

1989 ILO Convention No. 169 on Indigenous and Tribal Peoples

1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

1989 Convention on the Rights of the Child (CRC)

2007 Convention on the Rights of Persons with Disabilities (CRPD)

ILO Convention No. 161 of 1985 on Occupational Health Services

1949 Geneva Convention (III) relative to the Treatment of Prisoners of War

1949 Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War

1977 Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I)

1977 Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)

1997 Convention on the Law of the Non-Navigational Uses of International Watercourses

1992 United Nations Framework Convention of Climate Change (UNFCCC)

1994 Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (UNCCD)

It should be noted that Convention on the Rights of Persons with Disabilities (CRPD) was adopted in 2006 and not in 2007 as shown in the table.

It would be advisable to add a new column with a question “Have the provisions of these legal instruments been implemented in practice in your country?” and with possible answers “yes”, “no”, “partially”.

Part 2

Section 1

The formulation of the question 1.4.2. in Russian is not clear. It is useful to give some examples.

Questions about financing mechanisms duplicate questions in Chapter 4. It is necessary to give a clearer focus that shows why this question is in Section 1 and not in Section 4.

Section 2

It is difficult to assess how the results are indicative.

The set of quantitative data on geographical disparities is incomplete in our opinion. On WS and WW affordability it would be interesting to add cost of services indicator in different regions, and between urban and rural settlements, for example, the average tariff in different regions and between urban and rural settlements, for example, the average tariff rates in cities and rural settlements, the minimum and maximum rates by region or % of household income, which is spent to pay for WS and WW services in cities and villages across the country.

The question 2.1.2 is unclear, it is necessary to give examples or rephrase it to make it more concrete. Partially there is integration at the stage of approval procedures of state and other programs between all relevant ministries and agencies, this concern is more the formal integration.

Questions 2.1.3; 2.1.5; 2.2.2 и 2.3.1 are complex and should be divided in 2 parts.

It is necessary to note that a majority of Score card questions concerns the legislative activities of the state, but they do not consider whether the adopted laws are effective in practice. For example in Ukraine programs of WS and WW systems improvement and enlargement were developed that aim to reduce geographical disparities. In practice they are largely or fully not funded. Thus having a good legislative framework does not guarantee the effective achievement of key objectives.

It is worth to add or clarify indicators that would take into account the effectiveness of this legislation.

The important part of the geographical disparities is caused by quality of the WSS services, including drinking water quality. This area is not reflected at all in the Score card as well as in the book “No one left behind”, but it is an issue for the Ukraine as well as for most of the EECCA countries and has to be reflected in such kind assessment tool.

Section 3

It was proposed to use instead of ‘hospitals’ - medical or health care institutions

3.2 Persons with special physical needs. According to the Law of Ukraine, the term “invalid” is of common use. The proposal is to use the term “disabled/invalid” - people with special physical needs / disabilities.

“Inmates in prisons and refugee camps” are use in the same question, it is better to separate.

There are some additional issues proposed to Part 2:

1. to add a separate group of elderly people (it can be 60 + : in 2011, in Ukraine 25.1% of these ages were among women and 15% -among men: or it can only be 70 +: 14.5 and 6.9% respectively). The reason is a large proportion of such population, the degree of aging progresses with time, taking into account that old people, especially in rural areas, are unable to use well or carry water from the well, that increases with age. However, the statistics do not need special study.

The problem of access to WS only complicated with aging. According to the forecast made by experts of the Institute of Demography and Social Researches named after M.V. Ptukha of National Academy of Sciences of Ukraine, in 2050 it is expected that population older than 60 years will increase to 32% of the population, ie aging to progress (in 1959 and in 2001 it was respectively 10% and 21%). The level of aging depends traditionally on "demographic waves" caused, in turn, by specific historical development (the presence of war periods, social cataclysms and so on).

Instead of “Number of people lacking access to water and sanitation that live in neighborhoods where access is available” it is proposed to formulate as 2 separate questions for access to water and for sanitation, additionally to reformulate the main question as following: “Proportion of the population (or the share of households) living in homes without water (1) without sewer (2).

Question “3.3.5 Institutional facilities have separate toilets for males and females as well as adequate facilities for menstrual hygiene management” has to be divided at least for 2 questions one on separate

WS facilities for men and women and other one about adequate facilities for menstrual hygiene management.

Section 4

Score card formulation of question	Comments	Proposed formulation
4.2.1 Different options to address affordability issues through tariff measures have been analyzed	It is necessary to clarify to whom the question addressed: experts or governmental institutions	4.2.1. Has the government analyzed the possible options to solve the problems of affordability of costs through tariff measures.
4.2.4 Tariff measures implemented to address affordability issues are not damaging the financial sustainability of service provisions	The question has the double negative – problems with Russian translation	4.2.4 Tariff measures implemented to address affordability problems promote the financial sustainability of service providers
4.3.1 The impacts of different alternatives to address affordability issues through social protection measures have been analyzed	It is necessary to clarify to whom the question addressed: experts or governmental institutions	4.3.1. Has the government analyzed the effect of possible alternatives aimed to solve problems of affordability through social protection measures

Critical comments by the workshop's participants on the procedure of Scorecard fulfilment

Based on the discussion and questionnaire answers it was defined that methodology is clear and adequate to the task.

Among answers on how tool can be improved participants mentioned:

- to formulate more short-spoken /laconic and clear questions, which don't need additional questions for clarification; better to use more quantitative questions, answers on which need to provide concrete figures;

- to check and edit Russian translation;

- to use more systematic approach to study the area, for example: 1) legal framework, 2) implementation –practice, 3) ways to solve problem;

- someone suggested not to use term "tool", but did not provide the alternative option (related to Russian translation as "instrument");

- there is a need to include as scorecard area – WS services safety- quality as one of the principal characteristics which contribute in increase disparities in ensuring of the right to WS in Ukraine, and other former Soviet countries.

Related to improvement the information gathering process there are following recommendations:

- It is necessary that main executor of scorecard fulfilment defines who and on what questions has to provide the information, to consult entities providing information on size/volume and focus of the information gathering

-to organize the scorecard introduction training –workshop to develop the common understanding of the tool task and content by all involved authorities – participants of the self-assessment process

- to standardize the process of information gathering for scorecard and use the existing parameters and indicators (WS, drinking water quality parameters, others)

- to involve into the info-gathering process experts, national and/or local authorities as well as consumers.

To improve consultation stage it is needed to involve wider range of experts, including representatives of central executive bodies and local authorities, as well as water and wastewater enterprises.

Among the future possible steps to react on the results of the self-assessment the participants listed the following actions:

- to make results known by TOP authorities

- by using all means to convince the authorities of all ranks, as well as the whole society to solve the identified problems (example: the need to introduce modern and efficient technologies for purification of drinking water, primarily to protect public health, especially children).

-the next step has to be a broad discussion in the mass media of the state of affairs on ensuring equitable access to water and sanitation, which will provide a basis to develop specific proposals for improving state policy in this area.

To what extent do you think that the results of the equitable access scorecard presented in the workshop are accurate?

true and true to a significant degree.

To what extent, presented at the workshop evaluation results equal access to water and sanitation, promote concrete actions to improve the situation on this issue (equal access to water and sanitation)?

The assessment is mainly a statement of the actual state of affairs. That is, in order to place improvements needed on the basis of this assessment work out concrete proposals for necessary changes in public policy.

The results have the informational value for the top and local authorities and can be a basis for making of specific appropriate measures in the areas of assessment.

-“to large extent, if to send these proposals to the leaders at all levels and deputies of various councils to inform the public through the media, and do it consistently, persistently and repeatedly

What can be done to enhance the impact of the implementation of self-assessment in terms of ensuring equitable access to water and sanitation?

The assessment should be the impetus for change of state policy, and for that the assessment results should be delivered and been taken into due account by the ministries, local authorities, services providers, etc.